



FREMONT PLANNING BOARD

September 21, 2005

Meeting Minutes

Present: Co-Chairman Peter Gibb, Dan Cocci, Leon Holmes, Jr., Larry Stilwell, Building Inspector Thom Roy, Conservation Commission rep/Alternate Jack Karcz, RPC rep. David West and recording Secretary Meredith Bolduc.

Mr. Gibb called the meeting to order at 7:30 p.m.

Mr. Holmes made the motion to allow Mr. Karcz voting rights for anything that comes before tonight's meeting.

Motion seconded by Mr. Cocci with unanimous favorable vote.

CAPITAL IMPROVEMENTS PROGRAM

The 2001 CIP was discussed, as were Impact Fees. Mr. Stilwell noted that there is nothing in the CIP for the school. Mr. Stilwell stated, and the Board agreed, that the CIP needs to be updated at this time and annually after this and that the Impact Fees may need to be revised.

It was agreed that survey sheets be sent to all Town services, departments and the school to determine possible capital projects for the next 6 years. Capital Improvements and Impact Fees will be added to the agenda for the October 26, 2005 work session when there may be responses from some of the departments.

MINUTES

Mr. Cocci made the motion to amend the minutes by replacing "Mr. Bolduc" with "Mr. Roy" on page 13, last sentence under Seacoast Farms.

Motion seconded by Mr. Holmes with unanimous favorable vote.

Mr. Cocci made the motion to approve the minutes of the September 14, 2005 meeting as amended. Motion seconded by Mr. Holmes with unanimous favorable vote except for Mr. Stilwell who abstained as he was not present at that meeting.

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SEACOAST FARMS
Map 5 Lot 035

There was a discussion relative to numerous foul odor complaints from neighbors of Seacoast Farms. Mr. Holmes stated that he was working in the area today and the odor was really bad. Mr. Karcz and Mr. Stilwell stated that they were on the site during the same timeframe with Doug Kemp of the NHDES and Mr. Roy and there was little odor at the immediate site. Mr. Kelly stated today at the site that there are measures that he can take to alleviate odor. Mr. Gibb related that he does not remember anything on the plan relative to odor so he does not see the problem as under the Planning Board jurisdiction. Mr. Roy stated that the minutes reflect that Bob Kelly said there would be no odor.

The discussion also included the 100' setback from wetlands as it pertains to this project. Mr. Stilwell reported that Mr. Kemp affirmed the DES will support the need for compliance with the 100' wetland setback. Mr. Stilwell stated that an engineering firm has been to the site twice in the last 2 years and found the rods from the original survey. It was found that the windrows for the operation are not 100' from the wetlands therefore the setback requirements are not being met. Mr. Kelly has stated that the edge of the wetland is moving closer to the site as a result of beaver dams. Mr. Karcz questioned what happens to the setback when the land changes. Mr. Gibb stated that there is a question of whether the wetlands are protected. Mr. Roy suggested that Seacoast Farms be required to submit a plan to the Rockingham County Soil Conservation District and Rockingham Planning Commission for review to include a 100' setback to the wetlands.

Mr. Roy submitted a correspondence he had drafted relative to compliance with the 100' setback from wetland and relating that no further tolerance of offsite odor shall be allowed. The Board agreed that a letter will be sent to Mr. Kelly outlining odor problems and that the operation must be in compliance with wetland setbacks and the 7 am to 5 pm hours of operation.

GOVERNOR'S FOREST
Map 3 Lot 002

The Board received a September 21, 2005 correspondence from Martin Ferwerda of Governor's Forest relative to the Board's vote "to recommend a cease and desist for the excavation operations at Governor's Forest, citing as a reason that there "seem to be many outstanding issues" relating to L.C. Engineering's report of August 25th." In Mr. Ferwerda's letter he stated that "all stormwater runoff – remedial actions – recommended by L.C. Engineering have been fully implemented" and chastised the Board members for not making phone calls nor driven through the project to find out if the outstanding issues had been addressed. Mr. Gibb related that the Board was acting on the information presented and that the Board members should not be expected, nor need to chase any information as it is up to the applicant to meet his obligations and present documentation that any outstanding issues have been taken care of. Also received was a September 21, 2005 correspondence from LC Engineering relating that the outstanding issues stated in

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his August 25, 2005 report have been completed except for the installation of the stone lining of the drainage swales and the related issues. Mr. Gibb stated that items 4 through 7 of LC Engineering's September 21, 2005 report are completed and items 1 through 3 are waiting completion.

Mr. Roy stated that the Selectmen have already stopped permit issuance until all items are corrected and are only allowing 2 occupancy certifications. The Selectmen did not vote to create a cease and desist, but are doing so on the grounds of the lack of the \$90,000 bond.

Mr. Gibb stated that an inspection of Abutter Neistorowich property should be conducted by L.C. Engineer to see if there is still a water runoff impact to her property after their documented concerns have been fully addressed.

NATURAL RESOURCES OUTREACH COALITION (NROC)

The Board received a September 19, 2005 correspondence from Conservation Commission member Janice O'Brien asking for a contact person and representation from the ZBA for a presentation of the NROC grant. This is a grant that the Conservation Commission has voted to pursue. In her correspondence Mrs. O'Brien explained that the grant is assistance for communities in the coastal watershed dealing with the effects of growth, particularly the effects of growth on the natural resources. NROC would provide ongoing assistance in developing and implementing an action plan including education workshops for officials and residents and guidance to sources of financial and other assistance.

Mr. Gibb spoke for the NROC grant based on his positive experience with the program last year and offered to be the contact person representing the Planning Board. The Board collectively agreed that they are interested in participating in the program and attending the presentation. There was interest in various topics offered.

CORRESPONDENCE

The Board reviewed all incoming correspondences including:

1. Copy of a September 12, 2005 from NHDES to Michael Dicroce, Map 2 Lot 23 relative to an unauthorized wetland crossing.
2. Copy of a September 15, 2005 correspondence from Lynette Wheeler to Heidi Carlson relative to monitoring access to online file information about monitoring wells at Action Auto Body.
3. The September 8, 2005 Selectmen's meeting minutes

COMMUNITY TECHNICAL ASSISTANCE PROGRAM (CTAP)

The Board received a September 12, 2005 correspondence from RPC relative to a public outreach meeting scheduled for 7:00 – 8:30 pm on September 28, 2005 at the Windham

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Town Hall. CTAP is a five year comprehensive program created to assist communities within the I-93 region in planning for growth as a result of the highway upgrade project. The goal is to assist local governments and groups in both planning the technical assistance that is needed and providing this assistance over a five-year period.

SITE PLAN REVIEW INQUIRY

Mr. Roy asked if Site Plan Review is needed for a bonded automobile dealer with no garage, no dealer plate, keeping no unregistered vehicles on site because the sales are through e-bay. The Board reviewed the Site Plan Review Regulations and no determined was made.

There was a general discussion relative to the Site Plan Review Regulations, some descriptions and the fee structure.

Mr. Cocci made the motion to adjourn at 10:25 P.M.

Motion seconded by Mr. Karcz with unanimous favorable vote.

Respectfully submitted,
Meredith Bolduc, Secretary